

BUILDING BONDS ARE EXEMPT

Judge Linn in Case of First National Bank Upholds Validity of Statute Making Certain Securities Non-Taxable

MANY BANKS IN STATE ARE AFFECTED

Ruling of State Board of Equalization Set Aside; Case Likely to Supreme Court for Final Test

In the district court yesterday Judge Will Linn handed down a most important opinion—one that will prove of interest in every county in Oklahoma, in that it affects the assessments of certain holdings of banks throughout the state and construes an act of the legislature of 1911 authorizing banks to own certain building bonds and providing that those bonds shall be nontaxable.

The style of the case settled by Judge Linn's opinion is: "In re, the assessment or the property of the First National Bank of Chickasha, Oklahoma, for taxation for the year 1915 is an assessment upon the net value of its moneyed capital, surplus and undivided profits of said bank, less its real estate separately taxed; that at the time of the assessment and equalization of the property of said bank for taxation for the year 1915, said bank was owner of public building bonds of the state of Oklahoma issued pursuant to the act of legislature, 1911, session laws 1911, page 182, in the sum of \$180,000; and that the capital of said bank was and is invested in said bonds, and that by the provisions of the said act of legislature said bonds were made exempt from taxation for any purpose."

The court, in the findings, says: "The assessment of the property of the First National Bank of Chickasha, Oklahoma, for taxation for the year 1915 is an assessment upon the net value of its moneyed capital, surplus and undivided profits of said bank, less its real estate separately taxed; that at the time of the assessment and equalization of the property of said bank for taxation for the year 1915, said bank was owner of public building bonds of the state of Oklahoma issued pursuant to the act of legislature, 1911, session laws 1911, page 182, in the sum of \$180,000; and that the capital of said bank was and is invested in said bonds, and that by the provisions of the said act of legislature said bonds were made exempt from taxation for any purpose."

The court further found that the attorney general and the governor of the state had construed the section of the 1911 laws as exempting such bonds from taxation, thereby exempting that part of the capital and surplus of banks and insurance companies invested in such bonds from taxation. The court also found, that prior to the purchase of the bonds held by the First National Bank of Chickasha, the county board of equalization and the State Board of Equalization had so construed this act and permitted banks and trust companies to deduct from the money capital assessed for taxation the amount of capital which might be found to be invested in such bonds and that the "directors of said First National Bank of Chickasha, Oklahoma, authorized the purchase of the bonds herein by it with the capital of said bank, relying upon the construction so placed by the attorney general and governor of the State of Oklahoma, and by the State Board of Equalization."

The findings of the court in this matter further showed that the proper county officials of Grady county had, for the year 1915, listed the following holdings of the First National Bank of Chickasha for taxation: Capital stock, \$200,000; surplus, \$60,000; invested in real estate, \$50,000. That the county assessment officers found the bank owner of \$180,000 Oklahoma building bonds, exempt from taxation. The record shows that the assessment of the bank's holdings were made in compliance with such findings and approved by the county equalization board, and that the state equalization board ordered the county board to raise the assessment of the bank the amount of the state building bonds held by said bank.

In the matter decided by Judge Linn the entire list of contentions made by the State Board of Equaliza-

C. H. S. PLAY CHEROKEE FOR CHAMPIONSHIP

From the war office at the high school came the momentous announcement today that the enemy will invade Chickasha next Monday and already the mobilization order has been passed down the line.

The Cherokee football warriors, alleged champs of Oklahoma, are coming to Chickasha for a battle in which the local lads will contest their title to supremacy on the gridiron.

Cherokee has defeated the proud Normanites and every other team encountered this season. If Chickasha succeeds in drubbing them, the C. H. S. will be in a position to lay claim to first honors in the state. There is

some dispute concerning the eligibility of certain Norman players who participated in the game here, and should this argument be decided in favor of the local team, Chickasha, in the event of coming out first in the battle with Cherokee, would be the undisputed champion.

Enthusiasm among the student body of the local school is running high since the Shawnee victory and preparations are being made for a tremendous outpouring of "pep" on the occasion of the game next Monday. The students will be behind the team, and Coach Reeds, to do some prodigious rooting, and they call on the entire town to be there.

LIQUOR CASES GO TO TRIAL

The cases of the State of Oklahoma vs. John Tucker et al., charged with violation of the prohibition laws of the state, will come up before Judge Dayenport tomorrow on preliminary trial.

A number of witnesses have been subpoenaed by the county officials and the trial will prove an interesting one.

John Tucker is the owner of the premises whereon, several weeks ago, Sheriff Bailey unearthed the cache of six buried barrels of whisky which was afterward poured into the sewer at Fourth street and Choctaw avenue, and set on fire by some small boys experimentally inclined.

The cases against H. A. Smith will also come up for hearing tomorrow in the county court. Smith is charged with maintaining premises whereon all manner and kinds and imitations of intoxicating liquors are permitted to be sold or given away.

TO ACQUIT ADMIRAL

By United Press.

WASHINGTON, Nov. 9.—The court martial at Boston before which Rear Admiral Richard N. Little, retired, was tried is understood to have agreed upon a verdict recommending that he be acquitted.

It is expected that formal announcement of the verdict will be made tomorrow. The admiral was charged with the acceptance of the defective submarine K-2, while he was in charge of naval construction work.

ATTEND MEET IN OKLAHOMA CITY

County Commissioners J. A. Corzine, W. A. Bryant and J. A. Robinson, together with County Clerk F. P. Bradley, E. E. Colby, acting highway engineer of Grady county and Allan Swan of the county attorney's office, were in Oklahoma City yesterday attending a meeting of the county commissioners from all parts of the state which the state highway commissioner had called.

The object of the meeting was that all commissioners might go over the new laws governing highways and the highway maintenance, with the state commissioner, discuss the provisions of those laws and gain thereby a better and more thorough understanding of them.

Commissioner Robinson, who returned from the city this morning, states that the meeting was a most instructive one. He says that of the total of 321 county commissioners in Oklahoma, fully 200 were present at the meeting.

LITTLE SHOW AT RUSH.

Advises were received in the county attorney's office this morning that a young gentleman of Rush Springs put on a little free show at the show now on at that place by starting in to clean up on a fellow citizen. The "starter" was, Mr. Venable said, alleged to have been aided and assisted by a pair of well-developed knuckles, of the brass family, but the other fellow seemed to be the more able man and he stopped the "starter" before he fairly got started.

Alleged Seducer is Shot by Girl in Court

By United Press.

CORSICANA, Texas, Nov. 9.—Miss Alma Morgan today shot Allen Godley in the district court room, where he was arraigned on the charge of seduction.

Miss Morgan used a revolver and the bullet penetrated Godley's neck, inflicting a dangerous wound. She accused him of being her betrayer.

POSTPONE PRELIMINARY.

The examining trial of W. A. Newton, former cashier of a bank at Rush Springs, charged with embezzlement and set for hearing today, was this morning continued to Friday, November 12, on account of defendant being sick and unable to be present.

BOMB PLOT PRISONER AND HIS OUTFIT



This is a photograph of Robert Fay, former officer in the German army, who with others is under arrest in New York for conspiracy to destroy munition-carrying ships, and the explosives and spy paraphernalia in the suitcases found in his rooms. At the bottom of the picture is a brass tube bomb that was in his possession. Fay has made a partial confession.

ENTER PLEA NOT GUILTY OF PLOTTING

Five Indicted Men Assert Innocence of Conspiracy Charge; Court Declines to Reduce Bonds of Defendants

By United Press.

NEW YORK, Nov. 9.—Five of the six men indicted yesterday by the federal grand jury here for alleged participation in the plot to destroy ships carrying munitions of war to the allies, were arraigned in court and entered pleas of not guilty today.

The men, who asserted their innocence of the charges, were Lieutenant Robert Fay, Walter Scholz, Max Breitling, Dr. Herbert Klenzle and Walter Bronkvrst.

The sixth man, Paul Daeche, is still in New Jersey, but efforts are being made to bring him within the jurisdiction of the federal court here.

Federal Judge Howe refused to reduce the bonds of the defendants. Assistant District Attorney Knox declared that the crime of which the men were accused was "little short of murder" and that a twenty-five thousand dollar bond was not considered excessive.

INSURANCE LAW VALID

By United Press.

OKLAHOMA CITY, Nov. 9.—In a decision handed down today the state supreme court upheld the constitutionality of the law creating the state insurance board.

This law was enacted by the last legislature and it was attacked by the insurance companies on the grounds that it was in conflict with the organic law of the state.

DR. WALKER LECTURE.

Rev. C. E. Walker, D. D., of Marlatta, Texas, delivered his lecture on Odd Fellowship to a fair-sized audience at the Methodist church last night.

WEATHER ELSEWHERE.

Western Union reports received at 8 o'clock a. m.:

TEXAS—Generally cloudy. Temperature, 53 to 75 degrees. Big Springs, Nacodoches, Cisco, light rain; Bartlett, heavy rain.

OKLAHOMA—Generally clear, 53 to 65 degrees temperature.

ARKANSAS—Generally cloudy. Temperature, 50 to 65 degrees. Texarkana, light rain.

BOUNTIFUL CROPS ARE REPORTED

With Few Exceptions Yield in State and Nation Shows Increase; Summary of Estimate is Issued

By United Press.

WASHINGTON, Nov. 9.—A summary of preliminary estimates of crop production and prices for the state of Oklahoma and for the United States, compiled by the bureau of crop estimates, United States department of agriculture, is as follows:

Corn.
Oklahoma—Estimate this year 127,000,000 bushels; final estimate last year, 50,000,000; price, November 1, to producers 46c per bushel; year ago, 65c.

United States—Estimate this year, 3,090,000,000 bushels; final estimate last year, 2,673,000,000; November 1, price, 61.9c; year ago, 70.6c.

Wheat.
Oklahoma—Estimate this year, 36,924,000 bushels; final estimate last year, 49,975,000; price, November 1, to producers, 1.1c per bushel; year ago, 94c.

United States—Estimate this year, 1,002,000,000 bushels; final estimate last year, 891,000,000; November 1, price, 93.1c; year ago, 97.2c.

Oats.
Oklahoma—Estimate this year 35,640,000 bushels; final estimate last year, 30,250,000; price, November 1, to producers 35c per bushel; year ago, 42c.

United States—Estimate this year, 1,517,000,000 bushels; final estimate last year, 1,441,000,000; November 1, price, 34.9c; year ago, 42.9c.

Potatoes.

Oklahoma—Estimate this year, 2,800,000 bushels; final estimate last year, 2,240,000; price, November 1, to producers, 77c per bushel; year ago, 64c.

United States—Estimate this year, 25,000,000 bushels; final estimate last year, 405,921,000; November 1, price, 60.8c; year ago, 52.8c.

Apples.
Oklahoma—Estimate this year, 780,000 barrels; final estimate last year, 500,000 barrels; price, October 15, to producers, \$2.40 per barrel; year ago, \$2.62.

United States—Estimate this year, 76,700,000 barrels; final estimate last year, 84,400,000 barrels; price, October 15, to producers, \$2.14 per barrel; year ago, \$1.79.

Cotton.
Oklahoma—The September 25 condition, applied to the estimated acreage, forecast a production of approximately 767,000 bales (500 pounds gross), compared with final census report last year of 1,262,176 bales. Price, November 1, to producers, 11.5c per pound; year ago, 6.0c.

United States—The September 25 condition, applied to the estimated acreage, forecast a production of approximately 10,950,000 bales (500 pounds gross), compared with final census report last year of 16,125,000 bales. Price, November 1, to producers, 11.6c per pound; year ago, 6.3c.

BLAZE ON STEAMER PUT OUT

French Liner Reported Menaced by Flames, Now Proceeding on Voyage; No Explanation of Fire Given

By United Press.

NEW YORK, Nov. 9.—Captain Juham of the French liner Rochambeau sent a wireless message to the offices of the steamship company here this morning stating that the fire aboard the vessel had been extinguished and the liner was proceeding on its way to Bordeaux.

The first information concerning the fire on board the vessel was received yesterday afternoon, saying a blaze had broken out in the bunkers, the steamer being two days out on its voyage from New York.

The offices of the company gave out yesterday what purported to be a copy of the captain's message, attributing the blaze to "spontaneous combustion." A few hours later the same message was made public, and it contained no reference to spontaneous combustion and no explanation of the origin of the fire was given.

Aboard the steamer are approximately 650 persons—421 passengers, including 60 Americans and a crew of about 230—and a large cargo of war supplies, including 2,541 cases of cartridges and 136 bales of cotton.

PETIT JURY IS EXCUSED

All jury cases having been disposed of Judge Campbell of the United States district court this morning discharged that body for the term and will tomorrow take up the hearing of equity cases.

The last jury matter disposed of was that of Neil & Son of Atoka. This was a case in bankruptcy wherein the bankrupt asked a jury hearing. Defendants failing to appear in court the jury returned a verdict as petitioned for by petitioners.

The grand jury empaneled yesterday, have been busy with witnesses from all sections of southern, southeastern and southwestern Oklahoma and enforcement officers are here today from these sections as witnesses before that body.

WEATHER FORECAST.

For Oklahoma.

Local Temperature.

During the twenty-four hours ending at 8 o'clock a. m.:

Maximum 70
Minimum 40

ATTITUDE OF GREECE ALARMING

Allies Fear Influence of Court May Cause Athens Government to Cast Lot with Central Powers

SHATTERED SERBS ARE RETREATING

Damage Railroad and Delay Operating Line to Constantinople; French Transport and Italian Ship Sunk by Subs.

By United Press.

LONDON, Nov. 9.—The allies are beginning to feel alarm over the attitude of Greece. It is rumored that Greece may not even remain neutral. It is hinted that the Athens government may reach an understanding with Bulgaria.

It is believed that the Greek people are still in sympathy with the allies, but even this is not certain. According to advises reaching here, strong court influence has been brought to bear on the situation and has unquestionably produced some impression, especially among the Greek army officers.

It is believed by men high in government circles here that this condition accounts for King Constantine's defiance of ex-Premier Venizelos, who is the leader of the war party and friend of the allies at Athens.

Retire Toward Montenegro.

By United Press.

BERLIN, Nov. 9.—Advises received here today say that after being shattered by five weeks of fighting with the Austro-Germans and Bulgarians, the bulk of the enemy's forces in northern Serbia is retiring toward Montenegro.

The retreating Serbs did considerable damage to the Orient railroad before retreating, thus delaying the opening of the line to Constantinople.

German Subs Score.

By United Press.

PARIS, Nov. 9.—The French transport Yser, formerly the Dacia, and the Italian steamship Eliza Francescos, were sunk in the Mediterranean sea Saturday by German submarines, the admiralty announced today.

The Yser was picking up the crew of the Italian vessel when it was torpedoed.

The Dacia was transferred from German to American registry early in the war. The allies refused to recognize the validity of the transfer and when the vessel sailed for Europe with a cargo of cotton it was seized by a French warship and was condemned by a prize court.

WILL NOT PAY ROAD CLAIMS FOR FEW DAYS.

Claims payable from the funds set aside for road work will not be paid for several days, according to the statement given out at the county court house this morning. The accountant who is checking over the county accounts is at present engaged on the books in which the road matters are carried and the claims from this fund will not be paid until he shall have completed checking these books. This work will, it is stated, be finished by the latter part of the present week.

EVENTS IN THE WAR

ONE YEAR AGO TODAY.

An Australian cruiser sunk the German raider Emden.

Karl Hans Lody of Omaha, Neb., was shot as a German spy in the Tower of London.

Germany rushed fresh troops to the eastern theater. The allies were formally tendered the fallen forts of Tientsin.

Russia claimed to have turned the German right wing in East Prussia.